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12 Attorneys for Plaintiff

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

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UNITED STATES OF AMERICA,)	CR No. 08-0329 JSW
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
v.)	EXCLUDING TIME FROM JULY 3, 2008
TIMOTHY CRAIG,)	THROUGH JULY 31, 2008
Defendant.)	
_____ // //		

29 On July 3, 2008, the parties in this case appeared before the Court and stipulated that time
30 should be excluded from the Speedy Trial Act calculations from July 3, 2008 through July 31,
31 2008. The parties represented that granting the continuance was necessary for continuity of
32 counsel and effective preparation of counsel, taking into account the exercise of due diligence, in
33 light of defense counsel's work travel schedule and to afford defense counsel time to prepare
34 motions he intends to file. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties further represented

1 that the Speedy Trial Act would be tolled by statute upon filing of motions by the defendant on
2 July 31, 2008. See 18 U.S.C. § 3161(h)(1)(F).

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4 SO STIPULATED:

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6 JOSEPH P. RUSSONIELLO
7 United States Attorney
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9 DATED: July 3, 2008

10 _____
11 /s/ Denise Barton
12 DENISE MARIE BARTON
13 Assistant United States Attorney

14 DATED: July 3, 2008

15 _____
16 /s/
17 STEVEN G. KALAR
18 Attorney for TIMOTHY CRAIG

19 As the Court found on July 3, 2008, and for the reasons stated above, the Court finds that the
20 ends of justice served by the continuance outweigh the best interests of the public and the
21 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
22 calculations from July 3, 2008 through July 31, 2008. See 18 U.S.C. §3161 (h)(8)(A). The
23 failure to grant the requested continuance would deny the defendant effective preparation of
24 counsel, taking into account the exercise of due diligence, and would result in a miscarriage of
25 justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

26 SO ORDERED.

27 DATED: _____

28 _____
HONORABLE JEFFREY S. WHITE
United States District Court Judge